

E2SHB 1359 - S COMM AMD

By Committee on Consumer Protection & Housing

OUT OF ORDER 04/12/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a
4 large, unmet need for affordable housing in the state of Washington.
5 The legislature declares that a decent, appropriate, and affordable
6 home in a healthy, safe environment for every household should be a
7 state goal. Furthermore, this goal includes increasing the percentage
8 of households who are able to obtain and retain housing without
9 government subsidies or other public support.

10 (2) The legislature finds that there are many root causes of the
11 affordable housing shortage and declares that it is critical that such
12 causes be analyzed, effective solutions be developed, implemented,
13 monitored, and evaluated, and that these causal factors be eliminated.
14 The legislature also finds that there is a taxpayer and societal cost
15 associated with a lack of good family-wage jobs that pay self-
16 sufficiency standard wages and a shortage of affordable housing, and
17 that the state must identify and quantify that cost.

18 (3) The legislature finds that the support and commitment of all
19 sectors of the statewide community is critical to accomplishing the
20 state's affordable housing for all goal. The legislature finds that
21 the provision of housing and housing-related services should be
22 administered at the local level. However, the state should play a
23 primary role in: Providing financial resources to achieve the goal at
24 all levels of government; researching, evaluating, benchmarking, and
25 implementing best practices; continually updating and evaluating
26 statewide housing data; developing a state plan that integrates the
27 strategies, goals, objectives, and performance measures of all other
28 state housing plans and programs; coordinating and supporting county
29 government plans and activities; and directing quality management

1 practices by monitoring both state and county government performance
2 towards achieving interim and ultimate goals.

3 (4) The legislature declares that the systematic and comprehensive
4 performance measurement and evaluation of progress toward interim goals
5 and the immediate state affordable housing goal of a decent,
6 appropriate, and affordable home in a healthy, safe environment for
7 every household in the state by 2020 is a necessary component of the
8 statewide effort to end the affordable housing crisis.

9 NEW SECTION. **Sec. 2.** This chapter may be known and cited as the
10 Washington affordable housing for all act.

11 NEW SECTION. **Sec. 3.** There is created within the department the
12 state affordable housing for all program, which shall be funded by the
13 affordable housing for all program surcharge provided for in RCW
14 36.22.178 (as recodified by this act) and all other sources directed to
15 the affordable housing for all program. The goal of the program is a
16 decent, appropriate, and affordable home in a healthy, safe environment
17 for every very low-income household in the state by 2020. A priority
18 must be placed upon achieving this goal for extremely low-income
19 households. This goal includes increasing the percentage of households
20 who access housing that is affordable for their income or wage level
21 without government assistance by increasing the number of previously
22 very low-income households who achieve self-sufficiency and economic
23 independence. The goal also includes implementing strategies to keep
24 the rising cost of housing below the relative rise in wages. The
25 department shall develop and administer the affordable housing for all
26 program. In the development and implementation of the program, the
27 department shall consider: The funding level, number of county staff
28 available to implement the program, and competency of each county to
29 meet the goals of the program; and establish program guidelines,
30 performance measures, and reporting requirements appropriate to the
31 existing capacity of the participating counties.

32 NEW SECTION. **Sec. 4.** Unless the context clearly requires
33 otherwise, the definitions in this section apply throughout this
34 chapter.

1 (1) "Affordable housing" means residential housing, with monthly
2 rental housing costs, including utilities other than telephone, which
3 do not exceed thirty percent of the household's monthly income, that
4 has a sales price within the means of a household that may occupy low,
5 very low, and extremely low-income housing. The department shall adopt
6 policies for residential homeownership housing, occupied by extremely
7 low, very low, and low-income households, that specify the percentage
8 of household income that may be spent on monthly housing costs,
9 including utilities other than telephone, to qualify as affordable
10 housing.

11 (2) "Department" means the department of community, trade, and
12 economic development.

13 (3) "Director" means the director of the department of community,
14 trade, and economic development.

15 (4) "First-time home buyer" means an individual or his or her
16 spouse who have not owned a home during the three-year period prior to
17 purchase of a home.

18 (5) "Nonprofit organization" means any public or private nonprofit
19 organization that: (a) Is organized under federal, state, or local
20 laws; (b) has no part of its net earnings inuring to the benefit of any
21 member, founder, contributor, or individual; and (c) has among its
22 purposes, significant activities related to the provision of decent
23 housing that is affordable to extremely low-income, very low-income,
24 low-income, or moderate-income households and special needs
25 populations.

26 (6) "Regulatory barriers to affordable housing" and "regulatory
27 barriers" mean any public policies, including those embodied in
28 statutes, ordinances, regulations, or administrative procedures or
29 processes, required to be identified by the state, cities, towns, or
30 counties in connection with strategies under section 105(b)(4) of the
31 Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec. 12701
32 et seq.).

33 (7) "Affordable housing for all account" means the account in the
34 custody of the state treasurer receiving the state's portion of income
35 from the revenue of sources established by RCW 36.22.178 (as recodified
36 by this act) and all other sources directed to the affordable housing
37 for all program.

1 (8) "Performance measurement" means the process of comparing
2 specific measures of success with ultimate and interim goals.

3 (9) "Performance evaluation" means the process of evaluating the
4 performance by established objective, measurable criteria according to
5 the achievement of outlined goals, measures, targets, standards, or
6 other outcomes using a ranked scorecard from highest to lowest
7 performance which employs a scale of one to one hundred, one hundred
8 being the optimal score.

9 (10) "Affordable housing for all program" means the program
10 authorized under this chapter, utilizing the funding from the
11 affordable housing for all program surcharge in RCW 36.22.178 (as
12 recodified by this act), and all other sources directed to the
13 affordable housing for all program, as administered by the department
14 at the state level and by each county at the local level.

15 (11) "State affordable housing for all plan" or "state plan" means
16 the plan developed by the department in collaboration with the
17 affordable housing advisory board with the goal of ensuring that every
18 very low-income household in Washington has a decent, appropriate, and
19 affordable home in a healthy, safe environment by 2020.

20 (12) "Low-income household," for the purposes of the affordable
21 housing for all program, means a single person, family, or unrelated
22 persons living together whose adjusted income is less than eighty
23 percent of the median household income, adjusted for household size for
24 the county where the project is located.

25 (13) "Very low-income household" means a single person, family, or
26 unrelated persons living together whose adjusted income is less than
27 fifty percent of the median family income, adjusted for household size
28 for the county where the project is located.

29 (14) "Extremely low-income household" means a single person,
30 family, or unrelated persons living together whose adjusted income is
31 less than thirty percent of the median family income, adjusted for
32 household size for the county where the project is located.

33 (15) "County" means a county government in the state of Washington
34 or, except under RCW 36.22.178 (as recodified by this act), a city
35 government or collaborative of city governments within that county if
36 the county government declines to participate in the affordable housing
37 program.

1 (16) "Local government" means a county or city government in the
2 state of Washington or, except under RCW 36.22.178 (as recodified by
3 this act), a city government or collaborative of city governments
4 within that county if the county government declines to participate in
5 the affordable housing program.

6 (17) "Authority" or "housing authority" means any of the public
7 corporations created by RCW 35.82.030.

8 (18) "Good family-wage job" means a job that pays at or above one
9 of the two self-sufficiency income standards established under section
10 21 of this act which for an individual means enough income to support
11 one adult individual, and for a family means enough income to support
12 two adult individuals, one preschool-aged child, and one school-aged
13 child.

14 **Sec. 5.** RCW 43.185B.040 and 1993 c 478 s 12 are each amended to
15 read as follows:

16 (1) The department shall, in consultation with the affordable
17 housing advisory board created in RCW 43.185B.020, prepare and, from
18 time to time, amend a ~~((five-year))~~ state affordable housing
19 ~~((advisory))~~ for all plan. The state plan must incorporate strategies,
20 objectives, goals, and performance measures, including those required
21 for the state homeless housing strategic plan required under RCW
22 43.185C.040. The state affordable housing for all plan may be combined
23 with the state homeless housing strategic plan required under RCW
24 43.185C.040 or any other existing state housing plan as long as the
25 requirements of all of the plans to be merged are met.

26 (2) The purpose of the state affordable housing for all plan is to:
27 (a) Document the need for affordable housing in the state and the
28 extent to which that need is being met through public and private
29 sector programs~~((τ))~~;

30 (b) Outline the development of sound strategies and programs to
31 promote affordable housing;

32 (c) Establish, evaluate, and report upon interim goals and
33 timelines that are determined by the department and by which the state
34 and counties may be measured;

35 (d) Evaluate and report upon all counties' use of the affordable
36 housing for all program surcharge funds provided for in RCW 36.22.178

1 (as recodified by this act) and all other sources directed to the
2 counties' affordable housing for all programs;

3 (e) Report upon how housing trust fund awards within the previous
4 five-year period are consistent with the state plan and have
5 contributed to the goal of the affordable housing for all program; and
6 ~~((t))~~

7 (f) Facilitate state and county government planning to meet the
8 state affordable housing ~~((needs of the state, and to enable the~~
9 ~~development of sound strategies and programs for affordable housing))~~
10 for all goal.

11 (3) The information in the ~~((five-year))~~ state affordable housing
12 ~~((advisory))~~ for all plan must include:

13 (a) An assessment of the state's housing market trends;

14 (b) An assessment of the housing needs for ~~((all))~~ economic
15 segments of the state by low-income, very low-income, and extremely
16 low-income households and special needs populations, including a report
17 on the number and percentage of additional affordable rental housing
18 units that are needed statewide and in each county to house low-income,
19 very low-income, and extremely low-income households;

20 (c) An inventory of the supply and geographic distribution of
21 affordable housing rental units made available through public and
22 private sector programs;

23 (d) A summary of the activities of all state housing programs, as
24 well as all housing programs operated by or coordinated by city and
25 county governments, including local housing-related levy initiatives,
26 housing-related tax exemption programs, and federally funded programs
27 operated or coordinated by the state or local governments;

28 (e) A status report on the degree of progress made by the public
29 and private sector toward meeting the housing needs of the state,
30 including each county or city required by the United States department
31 of housing and urban development to produce a consolidated plan, and
32 any other city or county where information is readily available;

33 ~~((e))~~ (f) An identification of state and local regulatory
34 barriers to affordable housing and proposed regulatory and
35 administrative techniques designed to remove barriers to the
36 development and placement of affordable housing; ~~((and~~

37 ~~((f))~~ (g) An analysis, statewide and within each county and major

1 city, of the primary contributors to the cost of housing and an outline
2 of potential strategies to keep the increasing cost of housing below
3 the relative rise in wages;

4 (h) Specific recommendations, policies, or proposals for meeting
5 the affordable housing needs of the state;

6 (i) A report on the growth in the population of low-income, very
7 low-income, and extremely low-income households statewide and for each
8 county;

9 (j) A determination of the cost to the state of the affordable
10 housing shortage;

11 (k) A report of any differences in the rates of inflation between
12 median house prices, median rent for a two-bedroom apartment, and
13 median family income for low-income, very low-income, and extremely
14 low-income households; and

15 (l) A summary of the recommendations of the affordable housing
16 advisory board report as required in RCW 43.185B.030.

17 ~~((2)(a))~~ (4) The ~~((five-year))~~ state affordable housing
18 ~~((advisory))~~ for all plan required under ~~((subsection (1) of))~~ this
19 section must be submitted to the appropriate committees of the
20 legislature on or before ~~((February 1, 1994))~~ December 31, 2010, and
21 subsequent updated plans must be submitted by December 31st every five
22 years thereafter.

23 ~~((b) Each February 1st, beginning February 1, 1995, the department~~
24 ~~shall submit an annual progress report, to the legislature, detailing~~
25 ~~the extent to which the state's affordable housing needs were met~~
26 ~~during the preceding year and recommendations for meeting those needs))~~

27 (5) Based on changes to the general population and in the housing
28 market, the department may revise the performance measures and goals of
29 the state affordable housing for all plan and set goals for years
30 following December 31, 2020.

31 NEW SECTION. Sec. 6. (1) The department, in consultation with a
32 task force established by the department consisting of representatives
33 from the affordable housing advisory board, the chairs of the
34 appropriate committees of the legislature, representatives appointed by
35 the director from a minimum of five counties representing urban and
36 rural areas as well as communities east and west of the Cascade
37 mountains, representatives from private for-profit housing developers

1 that have experience with low-income housing, and representatives from
2 statewide housing advocacy organizations, shall create affordable
3 housing for all program performance measures, goals, and outcomes
4 addressing, at a minimum, the success of the state and each
5 participating county in the following areas:

6 (a) An overall measurement of the affordable housing needs met for
7 extremely low, very low, and low-income households within each twelve-
8 month period;

9 (b) A measure of the change in the cost of housing relative to the
10 change in wages;

11 (c) A measure of the increase in affordable rental housing;

12 (d) A measure of the increase in affordable homeownership housing;

13 (e) A measure of community support for the state and county plans;

14 and

15 (f) A measure of county government financial support for the
16 program within current funding resources.

17 Measurement reporting must be subdivided by county or city where
18 information is readily available through a consolidated plan or other
19 housing plan, and yearly targets for these results must be included.
20 Performance measures must be included in the department's state
21 affordable housing for all plan and must be provided to the joint
22 legislative audit and review committee.

23 (2) Performance measures and yearly targets must be established by
24 January 15, 2008, and must be reviewed annually by the department after
25 soliciting feedback from all counties or cities required to provide
26 recommendations to the legislature under section 12 of this act.

27 (3) The task force described in subsection (1) of this section
28 shall also determine additional specific information to be included in
29 the state affordable housing for all plans, including data upon which
30 the state must report.

31 (4) The task force described in subsection (1) of this section must
32 present legislative recommendations to the appropriate committees of
33 the legislature regarding policies that may advance the state's
34 affordable housing for all goal.

35 **Sec. 7.** RCW 36.22.178 and 2005 c 484 s 18 are each amended to read
36 as follows:

1 The surcharge provided for in this section shall be named the
2 affordable housing for all program surcharge.

3 (1) Except as provided in subsection ~~((2))~~ (3) of this section,
4 a surcharge of ten dollars per instrument shall be charged by the
5 county auditor for each document recorded, which will be in addition to
6 any other charge authorized by law. The county may retain up to five
7 percent of these funds collected solely for the collection,
8 administration, and local distribution of these funds. Of the
9 remaining funds, forty percent of the revenue generated through this
10 surcharge will be transmitted monthly to the state treasurer who will
11 deposit the funds into the ~~((Washington housing trust account))~~
12 affordable housing for all account created in section 8 of this act.
13 ~~((The office of community development of the department of community,~~
14 ~~trade, and economic development will develop guidelines for the use of~~
15 ~~these funds to support))~~ The department of community, trade, and
16 economic development must use these funds to provide housing and
17 shelter for extremely low-income households, including but not limited
18 to grants for building operation and maintenance costs of housing
19 projects or units within housing projects that are affordable to
20 extremely low-income ~~((persons))~~ households with incomes at or below
21 thirty percent of the area median income, and that require a supplement
22 to rent income to cover ongoing operating expenses.

23 (2) All of the remaining funds generated by this surcharge will be
24 retained by the county and be deposited into a fund that must be used
25 by the county and its cities and towns for eligible housing ~~((projects~~
26 ~~or units within housing projects that are affordable to))~~ activities as
27 described in this subsection that serve very low-income ~~((persons))~~
28 households with incomes at or below fifty percent of the area median
29 income. The portion of the surcharge retained by a county shall be
30 allocated to eligible housing activities that serve extremely low and
31 very low-income ~~((housing projects or units within such housing~~
32 ~~projects))~~ households in the county and the cities within a county
33 according to an interlocal agreement between the county and the cities
34 within the county consistent with countywide and local housing needs
35 and policies. ~~((The funds generated with this surcharge shall not be~~
36 ~~used for construction of new housing if at any time the vacancy rate~~
37 ~~for available low income housing within the county rises above ten~~
38 ~~percent. The vacancy rate for each county shall be developed using the~~

1 ~~state low income vacancy rate standard developed under subsection (3)~~
2 ~~of this section. Uses of))~~ A priority must be given to eligible
3 housing activities that serve extremely low-income households with
4 incomes at or below thirty percent of the area median income. Eligible
5 housing activities to be funded by these ((local)) county funds are
6 limited to:

7 (a) Acquisition, construction, or rehabilitation of housing
8 projects or units within housing projects that are affordable to very
9 low-income ((persons)) households with incomes at or below fifty
10 percent of the area median income, including units for homeownership,
11 rental units, seasonal and permanent farm worker housing units, and
12 single room occupancy units;

13 (b) Supporting building operation and maintenance costs of housing
14 projects or units within housing projects eligible to receive housing
15 trust funds, that are affordable to very low-income ((persons))
16 households with incomes at or below fifty percent of the area median
17 income, and that require a supplement to rent income to cover ongoing
18 operating expenses;

19 (c) Rental assistance vouchers for housing ((projects or)) units
20 ((within housing projects)) that are affordable to very low-income
21 ((persons)) households with incomes at or below fifty percent of the
22 area median income, to be administered by a local public housing
23 authority or other local organization that has an existing rental
24 assistance voucher program, consistent with or similar to the United
25 States department of housing and urban development's section 8 rental
26 assistance voucher program standards. The department shall develop
27 statewide guidelines for rental assistance programs by 2008, which must
28 include, at a minimum, guidelines and related performance measures to
29 ensure acceptable housing quality for voucher recipients, as well as
30 tenant protections consistent with federal section 8 rental assistance
31 voucher program standards; and

32 (d) Operating costs for emergency shelters and licensed overnight
33 youth shelters.

34 ((+2)) (3) The surcharge imposed in this section does not apply to
35 assignments or substitutions of previously recorded deeds of trust.

36 ((3) ~~The real estate research center at Washington State~~
37 ~~University shall develop a vacancy rate standard for low income housing~~
38 ~~in the state as described in RCW 18.85.540(1)(i))~~)

1 (4) All counties shall report at least annually upon receipts and
2 expenditures of the affordable housing for all program surcharge funds
3 created in this section to the department. The department may require
4 more frequent reports. The report must include the amount of funding
5 generated by the surcharge, the total amount of funding distributed to
6 date, the amount of funding allocated to each eligible housing
7 activity, a description of each eligible housing activity funded,
8 including information on the income or wage level and numbers of
9 extremely low, very low, and low-income households the eligible housing
10 activity is intended to serve, and the outcome or anticipated outcome
11 of each eligible housing activity.

12 NEW SECTION. Sec. 8. The affordable housing for all account is
13 created in the custody of the state treasurer. The state's portion of
14 the surcharges established in RCW 36.22.178 (as recodified by this act)
15 shall be deposited in the account, as well as all other sources
16 directed to the affordable housing for all program. Expenditures from
17 the account may only be used for the affordable housing for all program
18 under this chapter. Only the director or the director's designee may
19 authorize expenditures from the account. The account is subject to
20 allotment procedures under chapter 43.88 RCW, but an appropriation is
21 not required for expenditures.

22 NEW SECTION. Sec. 9. This chapter does not require either the
23 department or any local government to expend any funds to accomplish
24 the goals of this chapter other than the revenues authorized in this
25 act and other revenue that may be appropriated by the legislature for
26 these purposes. However, neither the department nor any local
27 government may use any funds authorized in this act to supplant or
28 reduce any existing expenditures of public money to address the
29 affordable housing shortage.

30 NEW SECTION. Sec. 10. (1) The joint legislative audit and review
31 committee shall conduct an evaluation and comparison of the
32 cost-efficiency of rental housing voucher programs funded within the
33 last five years with state or local moneys versus other low-income
34 housing projects funded within the last five years with state or local
35 moneys that are intended to assist low-income households to obtain and

1 retain affordable housing. The study must consider factors including
2 administrative costs, capital costs, and other operating costs involved
3 in the implementation and management of rental housing voucher
4 programs. The study must include a detailed summary of the specific
5 number of low-income households served and compare the number of
6 households that have been served, given a set amount of available
7 funds, through rental housing voucher programs funded with state or
8 local moneys with other housing projects funded with state or local
9 moneys, including new construction and rehabilitation of housing units.
10 The study must also include a detailed accounting of the funds provided
11 to rental housing voucher programs and low-income housing projects and
12 include a summary of the specific number of new housing units
13 constructed and rehabilitated and a summary detailing how the funds
14 allocated to rental housing voucher programs and low-income housing
15 projects have been used to increase the supply and availability of
16 affordable housing. The department of community, trade, and economic
17 development, the Washington state housing finance commission, housing
18 authorities, community action agencies, and local governments shall
19 provide the joint legislative audit and review committee with
20 information necessary for the evaluation study.

21 (2) The joint legislative audit and review committee shall solicit
22 input regarding the study from interested parties, including
23 representatives from the affordable housing advisory board, the
24 department of community, trade, and economic development, the
25 Washington state housing finance commission, representatives from the
26 private rental housing industry, housing authorities, community action
27 agencies, county and city governments, and nonprofit and for-profit
28 housing developers.

29 (3) The joint legislative audit and review committee shall present
30 the results of this study to the appropriate committees of the
31 legislature by December 31, 2008.

32 (4) This section expires December 31, 2008.

33 NEW SECTION. **Sec. 11.** (1) The joint legislative audit and review
34 committee shall conduct a performance audit of the state affordable
35 housing for all program every five years. The audit must include an
36 analysis of the department's expenditures of funds from sources
37 established by RCW 36.22.178 (as recodified by this act) and all other

1 sources directed to the affordable housing for all program. The first
2 audit must be conducted by December 31, 2010. Each audit must take no
3 longer than six months or no more than fifty thousand dollars to
4 complete.

5 (2) The joint legislative audit and review committee shall
6 inventory all state department and agency housing-related services and
7 programs provided to extremely low, very low, and low-income persons
8 needing housing assistance and shall conduct a performance audit of
9 each state department and agency's housing programs by December 31,
10 2010.

11 NEW SECTION. **Sec. 12.** (1) The department, the Washington state
12 housing finance commission, the affordable housing advisory board, and
13 all county governments, housing authorities, and other nonprofit
14 organizations receiving state funds, county affordable housing for all
15 surcharge funds, county homeless housing surcharge funds as authorized
16 in RCW 36.22.179 (as recodified by this act), or financing through the
17 housing finance commission shall, by December 31, 2007, and annually
18 thereafter, review current housing reporting requirements related to
19 housing programs and services and give recommendations to the
20 legislature to streamline and simplify all planning and reporting
21 requirements. The entities listed in this section shall also give
22 recommendations for additional legislative actions that could promote
23 the affordable housing for all goal.

24 (2) The department shall collaborate with the Washington state
25 housing finance commission and representatives from statewide
26 organizations representing counties, cities, housing authorities,
27 nonprofit groups involved in affordable housing, and other interested
28 parties, to create a strategy to streamline and, when possible,
29 consolidate state, city, town, and county reporting requirements to
30 address the inefficiencies associated with multiple reporting
31 requirements. The department shall present the strategy to the
32 appropriate committees of the legislature by December 31, 2007.

33 **Sec. 13.** RCW 43.63A.650 and 1999 c 267 s 3 are each amended to
34 read as follows:

35 (1) The department shall be the principal state department
36 responsible for coordinating federal and state resources and activities

1 in housing, except for programs administered by the Washington state
2 housing finance commission under chapter 43.180 RCW, and for evaluating
3 the operations and accomplishments of other state departments and
4 agencies as they affect housing, except for programs administered by
5 the Washington state housing finance commission under chapter 43.180
6 RCW.

7 (2) The department shall work with (~~local governments~~) cities,
8 towns, counties, tribal organizations, local housing authorities,
9 nonprofit community or neighborhood-based organizations, and regional
10 or statewide nonprofit housing assistance organizations, for the
11 purpose of coordinating federal and state resources with local
12 resources for housing.

13 (3) The department shall be the principal state department
14 responsible for providing shelter and housing services to homeless
15 families with children. The department shall have the principal
16 responsibility to coordinate, plan, and oversee the state's activities
17 for developing a coordinated and comprehensive plan to serve homeless
18 families with children. The plan shall be developed collaboratively
19 with the department of social and health services. The department
20 shall include community organizations involved in the delivery of
21 services to homeless families with children, and experts in the
22 development and ongoing evaluation of the plan. The department shall
23 follow professionally recognized standards and procedures. The plan
24 shall be implemented within amounts appropriated by the legislature for
25 that specific purpose in the operating and capital budgets. The
26 department shall submit the plan to the appropriate committees of the
27 senate and house of representatives no later than September 1, 1999,
28 and shall update the plan and submit it to the appropriate committees
29 of the legislature by January 1st of every odd-numbered year through
30 2007. The plan shall address at least the following: (a) The need for
31 prevention assistance; (b) the need for emergency shelter; (c) the need
32 for transitional assistance to aid families into permanent housing; (d)
33 the need for linking services with shelter or housing; and (e) the need
34 for ongoing monitoring of the efficiency and effectiveness of the
35 plan's design and implementation.

36 **Sec. 14.** RCW 43.185C.005 and 2005 c 484 s 1 are each amended to
37 read as follows:

1 Despite laudable efforts by all levels of government, private
2 individuals, nonprofit organizations, and charitable foundations to end
3 homelessness, the number of homeless persons in Washington is
4 unacceptably high. The state's homeless population, furthermore,
5 includes a large number of families with children, youth, and employed
6 persons. The legislature finds that the fiscal and societal costs of
7 homelessness are high for both the public and private sectors, and that
8 ending homelessness (~~(should)~~) must be a goal for state and local
9 government.

10 The legislature finds that there are many causes of homelessness,
11 including a shortage of affordable housing; a shortage of good family-
12 wage jobs which undermines housing affordability; a lack of an
13 accessible and affordable health care system available to all who
14 suffer from physical and mental illnesses and chemical and alcohol
15 dependency; domestic violence; (~~and~~) a lack of education and job
16 skills necessary to acquire adequate wage jobs in the economy of the
17 twenty-first century; inadequate availability of services for citizens
18 with mental illness and developmental disabilities living in the
19 community; and the difficulties faced by formerly institutionalized
20 persons in reintegrating to society and finding stable employment and
21 housing.

22 The support and commitment of all sectors of the statewide
23 community is critical to the chances of success in ending homelessness
24 in Washington. While the provision of housing and housing-related
25 services to the homeless should be administered at the local level to
26 best address specific community needs, the legislature also recognizes
27 the need for the state to play a primary coordinating, supporting,
28 (~~and~~) monitoring, and evaluating role. There must be a clear
29 assignment of responsibilities and a clear statement of achievable and
30 quantifiable goals. Systematic statewide data collection on
31 (~~(homelessness)~~) homeless individuals in Washington must be a critical
32 component of such a program enabling the state to work with local
33 governments not only to count all homeless people in the state, but to
34 record and manage information about homeless persons (~~and~~) in order
35 to assist them in finding housing and other supportive services that
36 can help them, when possible, achieve the highest degree of self-
37 sufficiency and economic independence that is appropriate given their
38 specific abilities and situations.

1 The systematic collection and rigorous evaluation of homeless data,
2 a nationwide search for and implementation through adequate resource
3 allocation of best practices, and the systematic measurement of
4 progress toward interim goals and the ultimate goal of ending
5 homelessness are all necessary components of a statewide effort to end
6 homelessness in Washington by July 1, 2015.

7 **Sec. 15.** RCW 43.185C.040 and 2005 c 484 s 7 are each amended to
8 read as follows:

9 (1) ~~((Six months after the first Washington homeless census,))~~ The
10 department shall, in consultation with the interagency council on
11 homelessness, the state advisory council on homelessness, and the
12 affordable housing advisory board, prepare and ~~((publish a ten-year~~
13 ~~homeless housing))~~ annually update a state homeless housing strategic
14 plan which ~~((shall))~~ must outline statewide goals and performance
15 measures ~~((and shall be coordinated with the plan for homeless families~~
16 ~~with children required under RCW 43.63A.650. To guide local~~
17 ~~governments in preparation of their first local homeless housing plans~~
18 ~~due December 31, 2005, the department shall issue by October 15, 2005,~~
19 ~~temporary guidelines consistent with this chapter and including the~~
20 ~~best available data on each community's homeless population)).~~ Local
21 governments' ~~((ten-year homeless housing))~~ homeless housing plans
22 ~~((shall not))~~ must include all of the performance measures included in
23 the state homeless housing strategic plan and must be substantially
24 ~~((inconsistent))~~ consistent with the goals and program recommendations
25 of ~~((the temporary guidelines and, when amended after 2005,))~~ the state
26 homeless housing strategic plan.

27 (2)(a) Program outcomes and performance measures and goals
28 ~~((shall))~~ must be created by the department ~~((and reflected))~~ in
29 consultation with the interagency council on homelessness and a task
30 force established by the department consisting of the committee chairs
31 of the appropriate committees of the legislature, representatives
32 appointed by the director from a minimum of five local homeless housing
33 task forces representing both urban and rural areas and communities
34 east and west of the Cascade mountains, and a representative from a
35 statewide membership organization that advocates for ending
36 homelessness. The task force may be the same as the task force
37 described in section 6(1) of this act. The task force must produce

1 guidelines for local governments regarding methods, techniques, and
2 data suggested to measure each performance measure. Performance
3 measures, yearly targets, and corresponding measurement guidelines must
4 be established by December 31, 2007, and must be reviewed annually by
5 the department and the interagency council on homelessness after
6 soliciting feedback from all local homeless housing task forces.
7 Performance measures must be included in the department's ((homeless
8 housing)) state homeless housing strategic plan ((as well as)) and all
9 local homeless housing plans.

10 (b) The department may determine a timeline for implementation and
11 measurement of each performance measure for the state and local
12 homeless housing plans, except that the state and all local governments
13 must implement and respond to all performance measures by December 31,
14 2009, unless the department finds that a performance measure is not
15 applicable to a specific local area according to parameters and
16 thresholds established by the department.

17 (c) Performance measures must be created, at a minimum, to gauge
18 the success of the state and each local government in the following
19 areas:

20 (i) The societal cost of homelessness;

21 (ii) The cost of ending homelessness in comparison with available
22 and committed resources;

23 (iii) The self-sufficiency of persons in Washington;

24 (iv) The achievement of an appropriate level of self-sufficiency
25 for homeless individuals;

26 (v) The quality and completeness of the Washington homeless client
27 management information system database;

28 (vi) The quality of the performance management systems of state
29 agencies, local governments, and local government subcontractors
30 executing programs, as authorized by RCW 43.185C.080(1), that
31 contribute to the overall goal of ending homelessness; and

32 (vii) The quality of local homeless housing plans.

33 Performance measurements are reported upon by city and county
34 geography, including demographics with yearly or more frequent targets.

35 (3) Interim goals against which state and local governments'
36 performance may be measured must also be described and reported upon in
37 the state homeless housing strategic plan, including:

1 (a) ~~((By the end of year one, completion of the first census as~~
2 ~~described in RCW 43.185C.030;~~

3 ~~(b))~~ By the end of each subsequent year, goals common to all state
4 and local programs which are measurable and the achievement of which
5 would move that community toward housing its homeless population; and

6 ~~((e))~~ (b) By July 1, 2015, reduction of the homeless population
7 statewide and in each county by fifty percent.

8 ~~((3))~~ (4) The department shall develop a consistent statewide
9 data gathering instrument to monitor the performance of cities and
10 counties receiving homeless housing grants in order to determine
11 compliance with the terms and conditions set forth in the homeless
12 housing grant application or required by the department.

13 (5) The department shall, in consultation with the interagency
14 council on homelessness, the state advisory council on homelessness,
15 and the affordable housing advisory board, report annually to the
16 governor and the appropriate committees of the legislature ~~((an~~
17 ~~assessment of))~~ the fiscal and societal costs of the homeless crisis,
18 including identifying, to the extent practical, savings in state and
19 local program costs that could be obtained through the achievement of
20 stable housing for the clients served by those programs.

21 (6) The department shall also deliver a summary annual report,
22 including information about:

23 (a) All state programs addressing homeless housing and services;

24 (b) The state's performance in furthering the goals of the state
25 ~~((ten-year))~~ homeless housing strategic plan; and

26 (c) The performance of each participating local government in
27 creating and executing a local homeless housing plan ((which)) that
28 meets the requirements of this chapter. ((The annual report may
29 include performance measures such as:

30 ~~(a) The reduction in the number of homeless individuals and~~
31 ~~families from the initial count of homeless persons;~~

32 ~~(b) The number of new units available and affordable for homeless~~
33 ~~families by housing type;~~

34 ~~(c) The number of homeless individuals identified who are not~~
35 ~~offered suitable housing within thirty days of their request or~~
36 ~~identification as homeless;~~

37 ~~(d) The number of households at risk of losing housing who maintain~~
38 ~~it due to a preventive intervention;~~

- 1 ~~(e) The transition time from homelessness to permanent housing;~~
2 ~~(f) The cost per person housed at each level of the housing~~
3 ~~continuum;~~
4 ~~(g) The ability to successfully collect data and report~~
5 ~~performance;~~
6 ~~(h) The extent of collaboration and coordination among public~~
7 ~~bodies, as well as community stakeholders, and the level of community~~
8 ~~support and participation;~~
9 ~~(i) The quality and safety of housing provided; and~~
10 ~~(j) The effectiveness of outreach to homeless persons, and their~~
11 ~~satisfaction with the program.~~

12 ~~(4)) (7) The state homeless housing plan must also include a~~
13 ~~response to each recommendation included in the local homeless housing~~
14 ~~plans for policy changes to assist in ending homelessness and a summary~~
15 ~~of the recommendations to the legislature to streamline and simplify~~
16 ~~all housing planning and reporting requirements, as required in section~~
17 ~~12 of this act.~~

18 (8) Based on the performance of local homeless housing programs in
19 meeting their interim goals, on general population changes and on
20 changes in the homeless population recorded in the ~~((annual))~~ census,
21 the department may revise the performance measures and goals of the
22 state homeless housing strategic plans, set goals for years following
23 the initial ten-year period, and recommend changes in local
24 governments' homeless housing plans.

25 **Sec. 16.** RCW 43.185C.050 and 2005 c 484 s 8 are each amended to
26 read as follows:

27 ~~(1)(a)(i)~~ Each local homeless housing task force shall prepare and
28 recommend to its local government legislative authority a ~~((ten-year))~~
29 local homeless housing plan for its jurisdictional area ~~((which shall~~
30 ~~be not inconsistent))~~ that is consistent with the department's
31 ~~((statewide temporary guidelines, for the December 31, 2005, plan, and~~
32 ~~thereafter the department's ten-year homeless housing))~~ state homeless
33 housing strategic plan and ~~((which shall be))~~ is aimed at eliminating
34 homelessness, with a minimum goal of reducing homelessness by fifty
35 percent by July 1, 2015. ~~((The local government may amend the proposed~~
36 ~~local plan and shall adopt a plan by December 31, 2005. Performance in~~

1 meeting the goals of this local plan shall be assessed annually in
2 terms of the performance measures published by the department.))

3 (ii) Local plans must include specific strategic objectives,
4 consistent with the state plan, and must include corresponding action
5 plans. Local plans must address identified strategies to meet the
6 needs of all homeless populations, including chronic homeless, short-
7 term homeless, families, individuals, and youth. Each local plan must
8 include the total estimated cost of accomplishing the goals of the plan
9 to reduce homelessness by fifty percent by July 1, 2015, and must
10 include an accounting of total committed funds for this purpose.

11 (b)(i) The department must conduct an annual performance evaluation
12 of each local plan by December 31st of each year beginning in 2007.
13 The department must also conduct an annual performance evaluation of
14 each local government's performance related to its local plan by
15 December 31st of each year beginning in 2007. A local government's
16 performance must be evaluated using, at a minimum, the performance
17 measures outlined in RCW 43.185C.040(2).

18 (ii) In addition to the performance measures mandated in RCW
19 43.185C.040(2), local plans may include specific local performance
20 measures adopted by the local government legislative authority((~~r~~)) and
21 ((may)) must include recommendations for ((any)) state legislation
22 needed to meet the state or local plan goals. The recommendations must
23 be specific and must, if funding is required, include an estimated
24 amount of funding required and suggestions for an appropriate funding
25 source.

26 (2) Eligible activities under the local plans include:

27 (a) Rental and furnishing of dwelling units for the use of homeless
28 persons;

29 (b) Costs of developing affordable housing for homeless persons,
30 and services for formerly homeless individuals and families residing in
31 transitional housing or permanent housing and still at risk of
32 homelessness;

33 (c) Operating subsidies for transitional housing or permanent
34 housing serving formerly homeless families or individuals;

35 (d) Services to prevent homelessness, such as emergency eviction
36 prevention programs, including temporary rental subsidies to prevent
37 homelessness;

1 (e) Temporary services to assist persons leaving state institutions
2 and other state programs to prevent them from becoming or remaining
3 homeless;

4 (f) Outreach services for homeless individuals and families;

5 (g) Development and management of local homeless housing plans,
6 including homeless census data collection~~((+))~~ and information,
7 identification of goals, performance measures, strategies, and costs,
8 and evaluation of progress towards established goals;

9 (h) Rental vouchers payable to landlords for persons who are
10 homeless or below thirty percent of the median income or in immediate
11 danger of becoming homeless; ~~((and))~~

12 (i) Implementing a quality management program and applying to the
13 full examination Washington state quality award program; and

14 (j) Other activities to reduce and prevent homelessness as
15 identified for funding in the local plan.

16 **Sec. 17.** RCW 43.185C.080 and 2005 c 484 s 12 are each amended to
17 read as follows:

18 ~~(1) ((Only a local government is eligible to receive a homeless~~
19 ~~housing grant from the homeless housing account. Any city may assert~~
20 ~~responsibility for homeless housing within its borders if it so~~
21 ~~chooses, by forwarding a resolution to the legislative authority of the~~
22 ~~county stating its intention and its commitment to operate a separate~~
23 ~~homeless housing program. The city shall then receive a percentage of~~
24 ~~the surcharge assessed under RCW 36.22.179 equal to the percentage of~~
25 ~~the city's local portion of the real estate excise tax collected by the~~
26 ~~county. A participating city may also then apply separately for~~
27 ~~homeless housing program grants. A city choosing to operate a separate~~
28 ~~homeless housing program shall be responsible for complying with all of~~
29 ~~the same requirements as counties and shall adopt a local homeless~~
30 ~~housing plan meeting the requirements of this chapter for county local~~
31 ~~plans. However, the city may by resolution of its legislative~~
32 ~~authority accept the county's homeless housing task force as its own~~
33 ~~and based on that task force's recommendations adopt a homeless housing~~
34 ~~plan specific to the city.~~

35 ~~(2))~~ Local governments ~~((applying for homeless housing funds))~~ may
36 subcontract with any other local government, housing authority,
37 community action agency, or other nonprofit organization for the

1 execution of programs contributing to the overall goal of ending
2 homelessness within a defined service area. All subcontracts (~~((shall))~~)
3 must be consistent with the local homeless housing plan adopted by the
4 legislative authority of the local government, time limited, and filed
5 with the department, and (~~((shall))~~) must have specific performance
6 terms. Local governments must strongly encourage all subcontractors
7 under the homeless housing and assistance program to apply to the full
8 examination Washington state quality award program. While a local
9 government has the authority to subcontract with other entities, the
10 local government continues to maintain the ultimate responsibility for
11 the homeless housing program within its (~~((borders))~~) jurisdiction.

12 (~~((+3))~~) (2) A county may decline to participate in the homeless
13 housing program authorized in this chapter by forwarding to the
14 department a resolution adopted by the county legislative authority
15 stating the intention not to participate. A copy of the resolution
16 (~~((shall))~~) must also be transmitted to the county auditor and treasurer.
17 If (~~((such a))~~) the resolution is adopted, all of the funds otherwise due
18 to the county under RCW (~~((43.185C.060 shall))~~) 36.22.179 (as recodified
19 by this act) and section 20 of this act, minus funds due to any city
20 that has chosen to participate through the process established in
21 subsection (3) of this section, must be remitted monthly to the state
22 treasurer for deposit in the (~~((homeless housing))~~) home security fund
23 account, without any reduction by the county for collecting or
24 administering the funds. Upon receipt of the resolution, the
25 department shall promptly begin to identify and contract with one or
26 more entities eligible under this section to create and execute a local
27 homeless housing plan for the county meeting the requirements of this
28 chapter. The department shall expend all of the funds received from
29 the county under this subsection to carry out the purposes of this
30 chapter (~~((484, Laws of 2005))~~) in the county, (~~((provided that))~~) but the
31 department may retain six percent of these funds to offset the cost of
32 managing the county's program.

33 (3) Any city may assert responsibility for homeless housing within
34 its borders, by forwarding a resolution to the legislative authority of
35 the county stating its intention and its commitment to operate a
36 separate homeless housing program. A city choosing to operate a
37 separate homeless housing program receives a percentage of the
38 surcharge assessed under RCW 36.22.179 (as recodified by this act) and

1 under section 20 of this act equal to the percentage of the city's
2 local portion of the real estate excise tax collected by the county.
3 A participating city may also then apply separately for homeless
4 housing grants. A city choosing to operate a separate homeless housing
5 program must comply with all of the same requirements as counties and
6 shall adopt a local homeless housing plan meeting the requirements of
7 this chapter for local homeless housing plans.

8 (4) A resolution by the county declining to participate in the
9 program (~~shall have~~) has no effect on the (~~ability~~) authority of
10 each city in the county to assert its right to manage its own program
11 under this chapter, and the county shall monthly transmit to (~~the~~)
12 any such city the funds due under (~~this chapter~~) RCW 36.22.179 (as
13 recodified by this act) and section 20 of this act.

14 **Sec. 18.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
15 read as follows:

16 (1) Each county shall create a homeless housing task force to
17 develop a (~~ten-year~~) homeless housing plan addressing short-term and
18 long-term services and housing (for homeless persons) to prevent and
19 reduce homelessness by fifty percent by 2015.

20 Membership on the task force may include representatives of the
21 counties, cities, towns, housing authorities, civic and faith
22 organizations, schools, community networks, human services providers,
23 law enforcement personnel, criminal justice personnel, including
24 prosecutors, probation officers, and jail administrators, substance
25 abuse treatment providers, mental health care providers, emergency
26 health care providers, businesses, at-large representatives of the
27 community, and a homeless or formerly homeless individual.

28 In lieu of creating a new task force, a local government may
29 designate an existing governmental or nonprofit body (~~which~~) that
30 substantially conforms to this section and (~~which~~) includes at least
31 one homeless or formerly homeless individual to serve as its homeless
32 representative. As an alternative to a separate plan, two or more
33 local governments may work in concert to develop and execute a joint
34 homeless housing plan, or to contract with another entity to do so
35 according to the requirements of this chapter. While a local
36 government has the authority to subcontract with other entities, the

1 local government continues to maintain the ultimate responsibility for
2 the homeless housing program within its borders.

3 ~~((A county may decline to participate in the program authorized in
4 this chapter by forwarding to the department a resolution adopted by
5 the county legislative authority stating the intention not to
6 participate. A copy of the resolution shall also be transmitted to the
7 county auditor and treasurer. If a county declines to participate, the
8 department shall create and execute a local homeless housing plan for
9 the county meeting the requirements of this chapter.))~~

10 (2) In addition to developing a ~~((ten-year))~~ homeless housing plan,
11 each task force shall establish guidelines consistent with the
12 ~~((statewide))~~ state homeless housing strategic plan, as needed, for the
13 following:

14 (a) Emergency shelters;

15 (b) Short-term housing needs;

16 (c) Temporary encampments;

17 (d) Rental voucher programs;

18 (e) Supportive housing for chronically homeless persons; ~~((and~~

19 ~~(e))~~ (f) Long-term housing; and

20 (g) Prevention services.

21 Guidelines must include, when appropriate, standards for health and
22 safety and notifying the public of proposed facilities to house the
23 homeless.

24 (3) Each county ~~((, including counties exempted from creating a new
25 task force under subsection (1) of this section,))~~ shall report to the
26 department of community, trade, and economic development ~~((such))~~ any
27 information ~~((as may be))~~ needed to ensure compliance with this
28 chapter.

29 **Sec. 19.** RCW 36.22.179 and 2005 c 484 s 9 are each amended to read
30 as follows:

31 (1) In addition to the surcharge authorized in RCW 36.22.178 (as
32 recodified by this act), and except as provided in subsection (2) of
33 this section, an additional surcharge of ten dollars shall be charged
34 by the county auditor for each document recorded, which will be in
35 addition to any other charge allowed by law. The funds collected
36 pursuant to this section are to be distributed and used as follows:

1 (a) The auditor shall retain two percent for collection of the fee,
2 and of the remainder shall remit sixty percent to the county to be
3 deposited into a fund that must be used by the county and its cities
4 and towns to accomplish the purposes of this chapter (~~(484, Laws of~~
5 ~~2005)~~), six percent of which may be used by the county for
6 administrative costs related to its homeless housing plan, and the
7 remainder for programs which directly accomplish the goals of the
8 county's local homeless housing plan, except that for each city in the
9 county which elects as authorized in RCW 43.185C.080 to operate its own
10 local homeless housing program, a percentage of the surcharge assessed
11 under this section equal to the percentage of the city's local portion
12 of the real estate excise tax collected by the county shall be
13 transmitted at least quarterly to the city treasurer, without any
14 deduction for county administrative costs, for use by the city for
15 program costs which directly contribute to the goals of the city's
16 local homeless housing plan; of the funds received by the city, it may
17 use six percent for administrative costs for its homeless housing
18 program.

19 (b) The auditor shall remit the remaining funds to the state
20 treasurer for deposit in the (~~(homeless housing)~~) home security fund
21 account. The department may use twelve and one-half percent of this
22 amount for administration of the program established in RCW
23 43.185C.020, including the costs of creating the statewide homeless
24 housing strategic plan, measuring performance, providing technical
25 assistance to local governments, and managing the homeless housing
26 grant program. The remaining eighty-seven and one-half percent is to
27 be (~~(distributed by the department to local governments through the~~
28 ~~homeless housing grant program)~~) used by the department to:

29 (i) Provide housing and shelter for homeless people including, but
30 not limited to: Grants to operate, repair, and staff shelters; grants
31 to operate transitional housing; partial payments for rental
32 assistance; consolidated emergency assistance; overnight youth
33 shelters; and emergency shelter assistance; and

34 (ii) Fund the homeless housing grant program.

35 (2) The surcharge imposed in this section does not apply to
36 assignments or substitutions of previously recorded deeds of trust.

1 (2) The surcharge imposed in this section does not apply to
2 assignments or substitutions of previously recorded deeds of trust.

3 NEW SECTION. **Sec. 21.** A new section is added to chapter 43.185C
4 RCW to read as follows:

5 The department shall contract with the employment security
6 department to annually establish two self-sufficiency income standards
7 based upon the cost of living, including housing costs, which include
8 mortgage or rent payments and utilities other than telephone, for each
9 county in the state. The self-sufficiency income standards must be
10 based upon the costs needed to support: (1) One adult individual; and
11 (2) two adult individuals and one preschool-aged child and one school-
12 aged child. These income standards will be translated into an
13 equivalent hourly wage rate assuming one full-year, full-time earner
14 for the self-sufficiency income standards for each county. The self-
15 sufficiency income standards must be presented to the legislature by
16 December 31, 2008. The employment security department must spend no
17 more than one hundred ten thousand dollars in creating the initial
18 self-sufficiency income standards and no more than fifty-five thousand
19 dollars annually to update the standards. The employment security
20 department shall deliver a report to the department and the appropriate
21 committees of the legislature that details the number and percentage of
22 individuals statewide and in each county who do not have a good family
23 wage job and, as a result, earn less than the self-sufficiency income
24 standards, as well as the number and percentage of individuals
25 statewide and in each county who have a good family wage job and, as a
26 result, earn an amount equivalent to or more than the self-sufficiency
27 income standards.

28 NEW SECTION. **Sec. 22.** A new section is added to chapter 43.185C
29 RCW to read as follows:

30 The joint legislative audit and review committee shall conduct a
31 performance audit of the homeless housing and assistance program every
32 four years. The first audit must be conducted by December 31, 2009.
33 Each audit must take no longer than six months or fifty thousand
34 dollars to complete.

1 **Sec. 23.** RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are
2 each reenacted and amended to read as follows:

3 County auditors or recording officers shall collect the following
4 fees for their official services:

5 (1) For recording instruments, for the first page eight and one-
6 half by fourteen inches or less, five dollars; for each additional page
7 eight and one-half by fourteen inches or less, one dollar. The fee for
8 recording multiple transactions contained in one instrument will be
9 calculated for each transaction requiring separate indexing as required
10 under RCW 65.04.050 as follows: The fee for each title or transaction
11 is the same fee as the first page of any additional recorded document;
12 the fee for additional pages is the same fee as for any additional
13 pages for any recorded document; the fee for the additional pages may
14 be collected only once and may not be collected for each title or
15 transaction;

16 (2) For preparing and certifying copies, for the first page eight
17 and one-half by fourteen inches or less, three dollars; for each
18 additional page eight and one-half by fourteen inches or less, one
19 dollar;

20 (3) For preparing noncertified copies, for each page eight and one-
21 half by fourteen inches or less, one dollar;

22 (4) For administering an oath or taking an affidavit, with or
23 without seal, two dollars;

24 (5) For issuing a marriage license, eight dollars, (this fee
25 includes taking necessary affidavits, filing returns, indexing, and
26 transmittal of a record of the marriage to the state registrar of vital
27 statistics) plus an additional five-dollar fee for use and support of
28 the prevention of child abuse and neglect activities to be transmitted
29 monthly to the state treasurer and deposited in the state general fund
30 plus an additional ten-dollar fee to be transmitted monthly to the
31 state treasurer and deposited in the state general fund. The
32 legislature intends to appropriate an amount at least equal to the
33 revenue generated by this fee for the purposes of the displaced
34 homemaker act, chapter 28B.04 RCW;

35 (6) For searching records per hour, eight dollars;

36 (7) For recording plats, fifty cents for each lot except cemetery
37 plats for which the charge shall be twenty-five cents per lot; also one

1 dollar for each acknowledgment, dedication, and description: PROVIDED,
2 That there shall be a minimum fee of twenty-five dollars per plat;

3 (8) For recording of miscellaneous records not listed above, for
4 the first page eight and one-half by fourteen inches or less, five
5 dollars; for each additional page eight and one-half by fourteen inches
6 or less, one dollar;

7 (9) For modernization and improvement of the recording and indexing
8 system, a surcharge as provided in RCW 36.22.170;

9 (10) For recording an emergency nonstandard document as provided in
10 RCW 65.04.047, fifty dollars, in addition to all other applicable
11 recording fees;

12 (11) For recording instruments, a surcharge as provided in RCW
13 36.22.178 (as recodified by this act); (~~and~~

14 ~~{(12)}~~) (12) For recording instruments, except for documents
15 recording a birth, marriage, divorce, or death or any documents
16 otherwise exempted from a recording fee under state law, a surcharge as
17 provided in RCW 36.22.179 (as recodified by this act); and

18 (13) For recording instruments, except for documents recorded by
19 the department of revenue, the department of labor and industries, and
20 the employment security department and for documents recording a birth,
21 marriage, divorce, or death or any documents otherwise exempted from a
22 recording fee under state law, a surcharge as provided in section 20 of
23 this act.

24 **Sec. 24.** RCW 43.185C.150 and 2005 c 484 s 21 are each amended to
25 read as follows:

26 This chapter does not require either the department or any local
27 government to expend any funds to accomplish the goals of this chapter
28 other than the revenues authorized in (~~chapter 484, Laws of 2005~~) RCW
29 36.22.179 (as recodified by this act) and the revenues authorized in
30 section 20 of this act. However, neither the department nor any local
31 government may use any funds authorized in (~~chapter 484, Laws of~~
32 ~~2005~~) RCW 36.22.179 (as recodified by this act) or the revenues
33 authorized in section 20 of this act to supplant or reduce any existing
34 expenditures of public money for the reduction or prevention of
35 homelessness or services for homeless persons. Any costs associated
36 with any new planning, evaluating, and reporting requirements of the
37 department for the homeless housing and assistance program included in

1 this chapter shall not be funded by the document recording fee
2 surcharges authorized by RCW 36.22.178 and 36.22.179 (as recodified by
3 this act).

4 **Sec. 25.** RCW 43.185C.060 and 2005 c 484 s 10 are each amended to
5 read as follows:

6 The (~~homeless housing~~) home security fund account is created in
7 the custody of the state treasurer. The state's portion of the
8 surcharge established in RCW 36.22.179 (as recodified by this act) and
9 section 20 of this act must be deposited in the account. Expenditures
10 from the account may be used only for the homeless housing program as
11 described in this chapter. Only the director or the director's
12 designee may authorize expenditures from the account. The account is
13 subject to allotment procedures under chapter 43.88 RCW, but an
14 appropriation is not required for expenditures.

15 **Sec. 26.** RCW 36.70A.070 and 2005 c 360 s 2 are each amended to
16 read as follows:

17 The comprehensive plan of a county or city that is required or
18 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
19 and descriptive text covering objectives, principles, and standards
20 used to develop the comprehensive plan. The plan shall be an
21 internally consistent document and all elements shall be consistent
22 with the future land use map. A comprehensive plan shall be adopted
23 and amended with public participation as provided in RCW 36.70A.140.

24 Each comprehensive plan shall include a plan, scheme, or design for
25 each of the following:

26 (1) A land use element designating the proposed general
27 distribution and general location and extent of the uses of land, where
28 appropriate, for agriculture, timber production, housing, commerce,
29 industry, recreation, open spaces, general aviation airports, public
30 utilities, public facilities, and other land uses. The land use
31 element shall include population densities, building intensities, and
32 estimates of future population growth. The land use element shall
33 designate, as appropriate, a sufficient quantity of land needed for
34 residential, commercial, and industrial uses. The land use element
35 shall provide for protection of the quality and quantity of ground
36 water used for public water supplies. Wherever possible, the land use

1 element should consider utilizing urban planning approaches that
2 promote physical activity. Where applicable, the land use element
3 shall review drainage, flooding, and storm water run-off in the area
4 and nearby jurisdictions and provide guidance for corrective actions to
5 mitigate or cleanse those discharges that pollute waters of the state,
6 including Puget Sound or waters entering Puget Sound.

7 (2) A housing element ensuring the vitality and character of
8 established residential neighborhoods that: (a) Includes an inventory
9 and analysis of existing and projected housing needs that identifies
10 the number of housing units necessary to (~~manage~~) accommodate
11 projected growth; (b) includes a statement of goals, policies,
12 objectives, and mandatory provisions for the preservation, improvement,
13 and development of housing, including single-family residences; (c)
14 identifies a sufficient quantity of land suitable for meeting the
15 existing and projected housing needs identified in (a) of this
16 subsection, including, but not limited to, government-assisted housing,
17 housing for low-income families, manufactured housing, multifamily
18 housing, and group homes and foster care facilities; and (d) makes
19 adequate provisions for existing and projected needs of all economic
20 segments of the community.

21 (3) A capital facilities plan element consisting of: (a) An
22 inventory of existing capital facilities owned by public entities,
23 showing the locations and capacities of the capital facilities; (b) a
24 forecast of the future needs for such capital facilities; (c) the
25 proposed locations and capacities of expanded or new capital
26 facilities; (d) at least a six-year plan that will finance such capital
27 facilities within projected funding capacities and clearly identifies
28 sources of public money for such purposes; and (e) a requirement to
29 reassess the land use element if probable funding falls short of
30 meeting existing needs and to ensure that the land use element, capital
31 facilities plan element, and financing plan within the capital
32 facilities plan element are coordinated and consistent. Park and
33 recreation facilities shall be included in the capital facilities plan
34 element.

35 (4) A utilities element consisting of the general location,
36 proposed location, and capacity of all existing and proposed utilities,
37 including, but not limited to, electrical lines, telecommunication
38 lines, and natural gas lines.

1 (5) Rural element. Counties shall include a rural element
2 including lands that are not designated for urban growth, agriculture,
3 forest, or mineral resources. The following provisions shall apply to
4 the rural element:

5 (a) Growth management act goals and local circumstances. Because
6 circumstances vary from county to county, in establishing patterns of
7 rural densities and uses, a county may consider local circumstances,
8 but shall develop a written record explaining how the rural element
9 harmonizes the planning goals in RCW 36.70A.020 and meets the
10 requirements of this chapter.

11 (b) Rural development. The rural element shall permit rural
12 development, forestry, and agriculture in rural areas. The rural
13 element shall provide for a variety of rural densities, uses, essential
14 public facilities, and rural governmental services needed to serve the
15 permitted densities and uses. To achieve a variety of rural densities
16 and uses, counties may provide for clustering, density transfer, design
17 guidelines, conservation easements, and other innovative techniques
18 that will accommodate appropriate rural densities and uses that are not
19 characterized by urban growth and that are consistent with rural
20 character.

21 (c) Measures governing rural development. The rural element shall
22 include measures that apply to rural development and protect the rural
23 character of the area, as established by the county, by:

24 (i) Containing or otherwise controlling rural development;

25 (ii) Assuring visual compatibility of rural development with the
26 surrounding rural area;

27 (iii) Reducing the inappropriate conversion of undeveloped land
28 into sprawling, low-density development in the rural area;

29 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
30 surface water and ground water resources; and

31 (v) Protecting against conflicts with the use of agricultural,
32 forest, and mineral resource lands designated under RCW 36.70A.170.

33 (d) Limited areas of more intensive rural development. Subject to
34 the requirements of this subsection and except as otherwise
35 specifically provided in this subsection (5)(d), the rural element may
36 allow for limited areas of more intensive rural development, including
37 necessary public facilities and public services to serve the limited
38 area as follows:

1 (i) Rural development consisting of the infill, development, or
2 redevelopment of existing commercial, industrial, residential, or
3 mixed-use areas, whether characterized as shoreline development,
4 villages, hamlets, rural activity centers, or crossroads developments.

5 (A) A commercial, industrial, residential, shoreline, or mixed-use
6 area shall be subject to the requirements of (d)(iv) of this
7 subsection, but shall not be subject to the requirements of (c)(ii) and
8 (iii) of this subsection.

9 (B) Any development or redevelopment other than an industrial area
10 or an industrial use within a mixed-use area or an industrial area
11 under this subsection (5)(d)(i) must be principally designed to serve
12 the existing and projected rural population.

13 (C) Any development or redevelopment in terms of building size,
14 scale, use, or intensity shall be consistent with the character of the
15 existing areas. Development and redevelopment may include changes in
16 use from vacant land or a previously existing use so long as the new
17 use conforms to the requirements of this subsection (5);

18 (ii) The intensification of development on lots containing, or new
19 development of, small-scale recreational or tourist uses, including
20 commercial facilities to serve those recreational or tourist uses, that
21 rely on a rural location and setting, but that do not include new
22 residential development. A small-scale recreation or tourist use is
23 not required to be principally designed to serve the existing and
24 projected rural population. Public services and public facilities
25 shall be limited to those necessary to serve the recreation or tourist
26 use and shall be provided in a manner that does not permit low-density
27 sprawl;

28 (iii) The intensification of development on lots containing
29 isolated nonresidential uses or new development of isolated cottage
30 industries and isolated small-scale businesses that are not principally
31 designed to serve the existing and projected rural population and
32 nonresidential uses, but do provide job opportunities for rural
33 residents. Rural counties may allow the expansion of small-scale
34 businesses as long as those small-scale businesses conform with the
35 rural character of the area as defined by the local government
36 according to RCW 36.70A.030(~~((+14))~~) (15). Rural counties may also
37 allow new small-scale businesses to utilize a site previously occupied
38 by an existing business as long as the new small-scale business

1 conforms to the rural character of the area as defined by the local
2 government according to RCW 36.70A.030(~~(14)~~) (15). Public services
3 and public facilities shall be limited to those necessary to serve the
4 isolated nonresidential use and shall be provided in a manner that does
5 not permit low-density sprawl;

6 (iv) A county shall adopt measures to minimize and contain the
7 existing areas or uses of more intensive rural development, as
8 appropriate, authorized under this subsection. Lands included in such
9 existing areas or uses shall not extend beyond the logical outer
10 boundary of the existing area or use, thereby allowing a new pattern of
11 low-density sprawl. Existing areas are those that are clearly
12 identifiable and contained and where there is a logical boundary
13 delineated predominately by the built environment, but that may also
14 include undeveloped lands if limited as provided in this subsection.
15 The county shall establish the logical outer boundary of an area of
16 more intensive rural development. In establishing the logical outer
17 boundary the county shall address (A) the need to preserve the
18 character of existing natural neighborhoods and communities, (B)
19 physical boundaries such as bodies of water, streets and highways, and
20 land forms and contours, (C) the prevention of abnormally irregular
21 boundaries, and (D) the ability to provide public facilities and public
22 services in a manner that does not permit low-density sprawl;

23 (v) For purposes of (d) of this subsection, an existing area or
24 existing use is one that was in existence:

25 (A) On July 1, 1990, in a county that was initially required to
26 plan under all of the provisions of this chapter;

27 (B) On the date the county adopted a resolution under RCW
28 36.70A.040(2), in a county that is planning under all of the provisions
29 of this chapter under RCW 36.70A.040(2); or

30 (C) On the date the office of financial management certifies the
31 county's population as provided in RCW 36.70A.040(5), in a county that
32 is planning under all of the provisions of this chapter pursuant to RCW
33 36.70A.040(5).

34 (e) Exception. This subsection shall not be interpreted to permit
35 in the rural area a major industrial development or a master planned
36 resort unless otherwise specifically permitted under RCW 36.70A.360 and
37 36.70A.365.

1 (6) A transportation element that implements, and is consistent
2 with, the land use element.

3 (a) The transportation element shall include the following
4 subelements:

5 (i) Land use assumptions used in estimating travel;

6 (ii) Estimated traffic impacts to state-owned transportation
7 facilities resulting from land use assumptions to assist the department
8 of transportation in monitoring the performance of state facilities, to
9 plan improvements for the facilities, and to assess the impact of land-
10 use decisions on state-owned transportation facilities;

11 (iii) Facilities and services needs, including:

12 (A) An inventory of air, water, and ground transportation
13 facilities and services, including transit alignments and general
14 aviation airport facilities, to define existing capital facilities and
15 travel levels as a basis for future planning. This inventory must
16 include state-owned transportation facilities within the city or
17 county's jurisdictional boundaries;

18 (B) Level of service standards for all locally owned arterials and
19 transit routes to serve as a gauge to judge performance of the system.
20 These standards should be regionally coordinated;

21 (C) For state-owned transportation facilities, level of service
22 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
23 to gauge the performance of the system. The purposes of reflecting
24 level of service standards for state highways in the local
25 comprehensive plan are to monitor the performance of the system, to
26 evaluate improvement strategies, and to facilitate coordination between
27 the county's or city's six-year street, road, or transit program and
28 the department of transportation's six-year investment program. The
29 concurrency requirements of (b) of this subsection do not apply to
30 transportation facilities and services of statewide significance except
31 for counties consisting of islands whose only connection to the
32 mainland are state highways or ferry routes. In these island counties,
33 state highways and ferry route capacity must be a factor in meeting the
34 concurrency requirements in (b) of this subsection;

35 (D) Specific actions and requirements for bringing into compliance
36 locally owned transportation facilities or services that are below an
37 established level of service standard;

1 (E) Forecasts of traffic for at least ten years based on the
2 adopted land use plan to provide information on the location, timing,
3 and capacity needs of future growth;

4 (F) Identification of state and local system needs to meet current
5 and future demands. Identified needs on state-owned transportation
6 facilities must be consistent with the statewide multimodal
7 transportation plan required under chapter 47.06 RCW;

8 (iv) Finance, including:

9 (A) An analysis of funding capability to judge needs against
10 probable funding resources;

11 (B) A multiyear financing plan based on the needs identified in the
12 comprehensive plan, the appropriate parts of which shall serve as the
13 basis for the six-year street, road, or transit program required by RCW
14 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795
15 for public transportation systems. The multiyear financing plan should
16 be coordinated with the ((~~six-year~~)) ten-year improvement program
17 developed by the department of transportation as required by RCW
18 47.05.030;

19 (C) If probable funding falls short of meeting identified needs, a
20 discussion of how additional funding will be raised, or how land use
21 assumptions will be reassessed to ensure that level of service
22 standards will be met;

23 (v) Intergovernmental coordination efforts, including an assessment
24 of the impacts of the transportation plan and land use assumptions on
25 the transportation systems of adjacent jurisdictions;

26 (vi) Demand-management strategies;

27 (vii) Pedestrian and bicycle component to include collaborative
28 efforts to identify and designate planned improvements for pedestrian
29 and bicycle facilities and corridors that address and encourage
30 enhanced community access and promote healthy lifestyles.

31 (b) After adoption of the comprehensive plan by jurisdictions
32 required to plan or who choose to plan under RCW 36.70A.040, local
33 jurisdictions must adopt and enforce ordinances which prohibit
34 development approval if the development causes the level of service on
35 a locally owned transportation facility to decline below the standards
36 adopted in the transportation element of the comprehensive plan, unless
37 transportation improvements or strategies to accommodate the impacts of
38 development are made concurrent with the development. These strategies

1 may include increased public transportation service, ride sharing
2 programs, demand management, and other transportation systems
3 management strategies. For the purposes of this subsection (6)
4 "concurrent with the development" shall mean that improvements or
5 strategies are in place at the time of development, or that a financial
6 commitment is in place to complete the improvements or strategies
7 within six years.

8 (c) The transportation element described in this subsection (6),
9 and the six-year plans required by RCW 35.77.010 for cities, RCW
10 36.81.121 for counties, and RCW 35.58.2795 for public transportation
11 systems, and the ten-year plan required by RCW 47.05.030 for the state,
12 must be consistent.

13 (7) An economic development element establishing local goals,
14 policies, objectives, and provisions for economic growth and vitality
15 and a high quality of life. The element shall include: (a) A summary
16 of the local economy such as population, employment, payroll, sectors,
17 businesses, sales, and other information as appropriate; (b) a summary
18 of the strengths and weaknesses of the local economy defined as the
19 commercial and industrial sectors and supporting factors such as land
20 use, transportation, utilities, education, work force, housing, and
21 natural/cultural resources; and (c) an identification of policies,
22 programs, and projects to foster economic growth and development and to
23 address future needs. A city that has chosen to be a residential
24 community is exempt from the economic development element requirement
25 of this subsection.

26 (8) A park and recreation element that implements, and is
27 consistent with, the capital facilities plan element as it relates to
28 park and recreation facilities. The element shall include: (a)
29 Estimates of park and recreation demand for at least a ten-year period;
30 (b) an evaluation of facilities and service needs; and (c) an
31 evaluation of intergovernmental coordination opportunities to provide
32 regional approaches for meeting park and recreational demand.

33 (9) It is the intent that new or amended elements required after
34 January 1, 2002, be adopted concurrent with the scheduled update
35 provided in RCW 36.70A.130. Requirements to incorporate any such new
36 or amended elements shall be null and void until funds sufficient to
37 cover applicable local government costs are appropriated and

1 distributed by the state at least two years before local government
2 must update comprehensive plans as required in RCW 36.70A.130.

3 **Sec. 27.** RCW 36.70A.210 and 1998 c 171 s 4 are each amended to
4 read as follows:

5 (1) The legislature recognizes that counties are regional
6 governments within their boundaries, and cities are primary providers
7 of urban governmental services within urban growth areas. For the
8 purposes of this section, a "countywide planning policy" is a written
9 policy statement or statements used solely for establishing a
10 countywide framework from which county and city comprehensive plans are
11 developed and adopted pursuant to this chapter. This framework shall
12 ensure that city and county comprehensive plans are consistent as
13 required in RCW 36.70A.100. Nothing in this section shall be construed
14 to alter the land-use powers of cities.

15 (2) The legislative authority of a county that plans under RCW
16 36.70A.040 shall adopt a countywide planning policy in cooperation with
17 the cities located in whole or in part within the county as follows:

18 (a) No later than sixty calendar days from July 16, 1991, the
19 legislative authority of each county that as of June 1, 1991, was
20 required or chose to plan under RCW 36.70A.040 shall convene a meeting
21 with representatives of each city located within the county for the
22 purpose of establishing a collaborative process that will provide a
23 framework for the adoption of a countywide planning policy. In other
24 counties that are required or choose to plan under RCW 36.70A.040, this
25 meeting shall be convened no later than sixty days after the date the
26 county adopts its resolution of intention or was certified by the
27 office of financial management.

28 (b) The process and framework for adoption of a countywide planning
29 policy specified in (a) of this subsection shall determine the manner
30 in which the county and the cities agree to all procedures and
31 provisions including but not limited to desired planning policies,
32 deadlines, ratification of final agreements and demonstration thereof,
33 and financing, if any, of all activities associated therewith.

34 (c) If a county fails for any reason to convene a meeting with
35 representatives of cities as required in (a) of this subsection, the
36 governor may immediately impose any appropriate sanction or sanctions
37 on the county from those specified under RCW 36.70A.340.

1 (d) If there is no agreement by October 1, 1991, in a county that
2 was required or chose to plan under RCW 36.70A.040 as of June 1, 1991,
3 or if there is no agreement within one hundred twenty days of the date
4 the county adopted its resolution of intention or was certified by the
5 office of financial management in any other county that is required or
6 chooses to plan under RCW 36.70A.040, the governor shall first inquire
7 of the jurisdictions as to the reason or reasons for failure to reach
8 an agreement. If the governor deems it appropriate, the governor may
9 immediately request the assistance of the department of community,
10 trade, and economic development to mediate any disputes that preclude
11 agreement. If mediation is unsuccessful in resolving all disputes that
12 will lead to agreement, the governor may impose appropriate sanctions
13 from those specified under RCW 36.70A.340 on the county, city, or
14 cities for failure to reach an agreement as provided in this section.
15 The governor shall specify the reason or reasons for the imposition of
16 any sanction.

17 (e) No later than July 1, 1992, the legislative authority of each
18 county that was required or chose to plan under RCW 36.70A.040 as of
19 June 1, 1991, or no later than fourteen months after the date the
20 county adopted its resolution of intention or was certified by the
21 office of financial management the county legislative authority of any
22 other county that is required or chooses to plan under RCW 36.70A.040,
23 shall adopt a countywide planning policy according to the process
24 provided under this section and that is consistent with the agreement
25 pursuant to (b) of this subsection, and after holding a public hearing
26 or hearings on the proposed countywide planning policy.

27 (3) A countywide planning policy shall at a minimum, address the
28 following:

29 (a) Policies to implement RCW 36.70A.110;

30 (b) Policies for promotion of contiguous and orderly development
31 and provision of urban services to such development;

32 (c) Policies for siting public capital facilities of a countywide
33 or statewide nature, including transportation facilities of statewide
34 significance as defined in RCW 47.06.140;

35 (d) Policies for countywide transportation facilities and
36 strategies;

37 (e) Policies that consider the need for affordable housing, such as

1 housing for all economic segments of the population and parameters for
2 its distribution;

3 (f) Policies for joint county and city planning within urban growth
4 areas;

5 (g) Policies for countywide economic development and employment;
6 (~~and~~)

7 (h) For counties subject to RCW 36.70A.215, policies for providing
8 a supply of housing sufficient to accommodate the forecasted employment
9 growth within the regional housing market and the demand for all types
10 of residential dwellings; and

11 (i) An analysis of the fiscal impact.

12 (4) Federal agencies and Indian tribes may participate in and
13 cooperate with the countywide planning policy adoption process.
14 Adopted countywide planning policies shall be adhered to by state
15 agencies.

16 (5) Failure to adopt a countywide planning policy that meets the
17 requirements of this section may result in the imposition of a sanction
18 or sanctions on a county or city within the county, as specified in RCW
19 36.70A.340. In imposing a sanction or sanctions, the governor shall
20 specify the reasons for failure to adopt a countywide planning policy
21 in order that any imposed sanction or sanctions are fairly and
22 equitably related to the failure to adopt a countywide planning policy.

23 (6) Cities and the governor may appeal an adopted countywide
24 planning policy to the growth management hearings board within sixty
25 days of the adoption of the countywide planning policy.

26 (7) Multicounty planning policies shall be adopted by two or more
27 counties, each with a population of four hundred fifty thousand or
28 more, with contiguous urban areas and may be adopted by other counties,
29 according to the process established under this section or other
30 processes agreed to among the counties and cities within the affected
31 counties throughout the multicounty region.

32 **Sec. 28.** RCW 36.70A.215 and 1997 c 429 s 25 are each amended to
33 read as follows:

34 (1) Subject to the limitations in subsection (7) of this section,
35 a county shall adopt, in consultation with its cities, countywide
36 planning policies to establish a review and evaluation program. This
37 program shall be in addition to the requirements of RCW 36.70A.110,

1 36.70A.130, and 36.70A.210. In developing and implementing the review
2 and evaluation program required by this section, the county and its
3 cities shall consider information from other appropriate jurisdictions
4 and sources. The purpose of the review and evaluation program shall be
5 to:

6 (a) Determine whether a county and its cities are achieving urban
7 densities within urban growth areas by comparing growth and development
8 assumptions, targets, and objectives contained in the countywide
9 planning policies and the county and city comprehensive plans with
10 actual growth and development that has occurred in the county and its
11 cities; and

12 (b) Identify reasonable measures, other than adjusting urban growth
13 areas, that will be taken to comply with the requirements of this
14 chapter.

15 (2) The review and evaluation program shall:

16 (a) Encompass land uses and activities both within and outside of
17 urban growth areas and provide for annual collection of data on urban
18 and rural land uses, development, critical areas, and capital
19 facilities to the extent necessary to determine the quantity and type
20 of land suitable for development, both for residential and employment-
21 based activities;

22 (b) Provide for evaluation of the data collected under (a) of this
23 subsection every five years as provided in subsection (3) of this
24 section. The first evaluation shall be completed not later than
25 September 1, 2002. The county and its cities may establish in the
26 countywide planning policies indicators, benchmarks, and other similar
27 criteria to use in conducting the evaluation;

28 (c) Provide for methods to resolve disputes among jurisdictions
29 relating to the countywide planning policies required by this section
30 and procedures to resolve inconsistencies in collection and analysis of
31 data; and

32 (d) Provide for the amendment of the countywide policies and county
33 and city comprehensive plans as needed to remedy an inconsistency
34 identified through the evaluation required by this section, or to bring
35 these policies into compliance with the requirements of this chapter.

36 (3) At a minimum, the evaluation component of the program required
37 by subsection (1) of this section shall:

1 (a) Determine whether there is sufficient suitable land to
2 accommodate the countywide population projection established for the
3 county pursuant to RCW 43.62.035 and the subsequent population
4 allocations within the county and between the county and its cities and
5 the requirements of RCW 36.70A.110;

6 (b) Determine the actual density of housing that has been
7 constructed and the actual amount of land developed for commercial and
8 industrial uses within the urban growth area since the adoption of a
9 comprehensive plan under this chapter or since the last periodic
10 evaluation as required by subsection (1) of this section; and

11 (c) Based on the actual density of development as determined under
12 (b) of this subsection, review commercial, industrial, and housing
13 needs by type and density range to determine the amount of land needed
14 for commercial, industrial, and housing for the remaining portion of
15 the twenty-year planning period used in the most recently adopted
16 comprehensive plan.

17 (4) If the evaluation required by subsection (3) of this section
18 demonstrates an inconsistency between what has occurred since the
19 adoption of the countywide planning policies and the county and city
20 comprehensive plans and development regulations and what was envisioned
21 in those policies and plans and the planning goals and the requirements
22 of this chapter, as the inconsistency relates to the evaluation factors
23 specified in subsection (3) of this section, the county and its cities
24 shall adopt and implement measures that are reasonably likely to
25 increase consistency during the subsequent five-year period. If
26 necessary, a county, in consultation with its cities as required by RCW
27 36.70A.210, shall adopt amendments to countywide planning policies to
28 increase consistency. The county and its cities shall annually monitor
29 the measures adopted under this subsection to determine their effect
30 and may revise or rescind them as appropriate.

31 (5)(a) (~~Not later than July 1, 1998, the department shall prepare~~
32 ~~a list of methods used by counties and cities in carrying out the types~~
33 ~~of activities required by this section.)) The department shall prepare
34 a list of methods used by counties and cities to comply with the
35 requirements of this section and provide this information and
36 appropriate technical assistance to counties and cities required to or
37 choosing to comply with the provisions of this section.~~

1 (b) ~~((By December 31, 2007,))~~ The department shall annually
2 distribute information provided by the office of financial management
3 comparing estimated employment changes with estimated housing unit
4 changes by county.

5 (c) The department, by June 30, 2008, and every five years
6 thereafter, after consultation with counties and cities subject to the
7 requirements of this section, shall submit to the appropriate
8 committees of the ~~((legislature a report analyzing))~~ house of
9 representatives and the senate a report based on the information
10 provided by the counties from the evaluations required by this section,
11 that includes:

12 (i) A summary of the evaluations prepared by local governments
13 under subsection (3) of this section, including:

14 (A) Growth patterns and trends comparing housing and employment
15 changes;

16 (B) The density, net number, and types of new residential dwelling
17 units;

18 (C) The actual amount of land developed for residential,
19 commercial, and industrial uses;

20 (D) The estimated net number of new jobs created countywide; and

21 (E) The county determinations of whether there is a sufficient
22 quantity of land suitable for meeting the existing and projected needs
23 for commercial, industrial, and housing by types and density range for
24 the remaining portion of the twenty-year planning period used in the
25 most recently adopted comprehensive plans;

26 (ii) A list of jurisdictions that have determined that
27 inconsistencies exist between what has occurred and what was envisioned
28 in the planning goals and requirements and comprehensive plans, as the
29 inconsistencies relate to the evaluation factors specified in
30 subsection (3) of this section;

31 (iii) A summary of the types of inconsistencies identified, and if
32 available, a summary of the reasonable measures that have been adopted
33 under subsection (4) of this section to increase consistency and
34 accommodate residential and nonresidential needs;

35 (iv) An analysis of the effectiveness of the ~~((activities described~~
36 in)) requirements of this section in achieving the goals envisioned by
37 the countywide planning policies and the comprehensive plans and
38 development regulations of the counties and cities; and

1 (v) Recommendations for legislation the department deems necessary
2 to increase the effectiveness of the requirements of this section.

3 (6) From funds appropriated by the legislature for this purpose,
4 the department shall provide grants to counties, cities, and regional
5 planning organizations required under subsection (7) of this section to
6 conduct the review and perform the evaluation required by this section.

7 (7) The provisions of this section shall apply to counties, and the
8 cities within those counties, that were greater than one hundred fifty
9 thousand in population in 1995 as determined by office of financial
10 management population estimates and that are located west of the crest
11 of the Cascade mountain range. Any other county planning under RCW
12 36.70A.040 may carry out the review, evaluation, and amendment programs
13 and procedures as provided in this section.

14 NEW SECTION. Sec. 29. RCW 36.22.179 and 43.20A.790 are each
15 recodified as sections in chapter 43.185C RCW.

16 NEW SECTION. Sec. 30. RCW 36.22.178, 43.63A.650, and 43.185B.040
17 are each recodified as sections in chapter 43.--- RCW (created in
18 section 31 of this act).

19 NEW SECTION. Sec. 31. Sections 1 through 4, 6, 8, 9, 11, and 12
20 of this act constitute a new chapter in Title 43 RCW.

21 NEW SECTION. Sec. 32. If specific funding for the purposes of
22 sections 1 through 13 of this act, referencing sections 1 through 13 of
23 this act by bill or chapter number and section number, is not provided
24 by June 30, 2007, in the omnibus appropriations act, sections 1 through
25 13 of this act are null and void."

E2SHB 1359 - S COMM AMD
By Committee on Consumer Protection & Housing

OUT OF ORDER 04/12/2007

26 On page 1, line 1 of the title, after "all;" strike the remainder

1 of the title and insert "amending RCW 43.185B.040, 36.22.178,
2 43.63A.650, 43.185C.005, 43.185C.040, 43.185C.050, 43.185C.080,
3 43.185C.160, 36.22.179, 43.185C.150, 43.185C.060, 36.70A.070,
4 36.70A.210, and 36.70A.215; reenacting and amending RCW 36.18.010;
5 adding new sections to chapter 43.185C RCW; adding a new chapter to
6 Title 43 RCW; creating new sections; recodifying RCW 36.22.179,
7 43.20A.790, 36.22.178, 43.63A.650, and 43.185B.040; and providing an
8 expiration date."

EFFECT: Part I: State Affordable Housing for All Program
(Affordable housing for all very low-income households by 2020)

(1) County role completely eliminated (including county Affordable Housing for All plans and task forces).

(2) State Affordable Housing for All plan still due every five years vs. annually as proposed in E2SHB 1359, with reduced data gathering.

(3) The existing \$10 recording surcharge is renamed the "Affordable Housing for All" surcharge. The State's portion (40% after the County takes up to 5% for administering surcharge) is deposited into the Affordable Housing for All account (to provide programs for housing and shelter for extremely low-income populations).

(4) Counties report use of their part of the surcharge (approx 60%) annually to CTED.

(5) JLARC to do a performance audit of the program every 5 (instead of 4) years. Additional quality management requirements for cities & counties eliminated.

(6) If specific funding is not provided for this program, then these sections (1-13) become null & void.

Part II: Homeless Housing Program (reduction of homeless population by 50% by July 1, 2015)

(1) The new \$8 recording surcharge, together with the existing "2163" homeless \$10 surcharge is deposited in the Home Security Fund.

(2) Costs associated with the new planning, evaluation, and reporting requirements may be funded by the \$8 surcharge, but not the existing surcharge.

Part III: GMA amendment

(1) Amends the housing and land use elements of local comprehensive plans to clarify that counties and cities shall designate a sufficient quantity of land to accommodate the housing needed to accommodate growth.

(2) Amends the countywide planning policies for "buildable lands counties" (King, Pierce, Snohomish, Kitsap, Thurston, and Clark counties) to include policies for providing a supply of housing sufficient to accommodate anticipated employment growth and performance measures that regularly review progress towards accommodating projected growth.

(3) Amends the DCTED's reporting requirements of the buildable lands evaluation to include: A list of methods used by counties and cities to comply with the Growth Management Act; information comparing estimated employment changes with estimated housing unit changes; growth patterns; the density, types, and net number of housing units; the amount of land developed for residential, commercial, and industrial uses; estimated net number of new jobs created; whether there is sufficient buildable land available to meet needs; a list of jurisdictions that have identified inconsistencies between what has occurred and what was envisioned in their planning goals; a summary of the inconsistencies identified and reasonable measures adopted to increase consistency; and recommendations for legislation to increase effectiveness of managing growth.

Part IV: Other

(1) Technical changes as a result of engrossing the bill.

--- END ---